

REMARKS

Claims 2-26 are currently pending, wherein claims 2-4 and 9-15 have been withdrawn and it is proposed to cancel claim 1 and rewrite claims 5, 6, 7, and 8 in independent form. Applicants respectfully request favorable reconsideration in view of the remarks presented herein below.

In paragraph 3 of the final Office Action ("Action"), the Examiner rejects claims 1, 5-8, 16 and 17 under 35 U.S.C. §102(e) as allegedly being anticipated by U.S. Patent No. 6,535,558 to Suzuki et al. ("Suzuki"). Claim 1 has been canceled, thereby rendering this rejection moot with regard thereto. With regard to claims 5-8, 16, and 17, Applicants respectfully traverse this rejection.

In order to support a rejection under 35 U.S.C. §102, the cited reference must teach each and every claimed element. In the present case, claims 5-8, 16, and 17 are not anticipated by Suzuki because Suzuki fails to disclose each and every claimed element as discussed below.

Independent claim 5 defines an image coding device for coding a motion image signal, and outputting the coded data as a bit stream. The device includes, *inter alia*, an input image controller that executes a predetermined processing to an input motion image signal for reducing the amount of coded data when coding the motion image signal by a coding method in which it is prescribed that the frame rate of a motion image signal is set to a constant level to be output at its decoding time, and outputs the processed motion image signal, together with the process information indicating the detail of said processing; and an image coder for coding the motion image signal processed at said input image controller into a data in conformity with said coding method on the basis of said process information. Furthermore, the input image controller

excludes either one field of each of the frames at a predetermined rate when the input motion image signal is of the interlace method, and outputs the processed motion image signal, together with the process information showing the thus excluded fields, and said image coder detects the exclusion of fields on the basis of said process information, performs a predictive coding with respect to the thus excluded fields on the basis of the other fields, and generates a coded data corresponding to said excluded fields. Accordingly, one field of an interlace image signal is excluded, and predictive coding is performed on the basis of the remaining (i.e., non-excluded) fields.

In rejecting claim 5, the Examiner asserts that Suzuki discloses an input image controller that excludes either one field of each of the frames at a predetermined rate when the input motion image signal is of the interlace method, and outputs the processed motion image signal, together with the process information showing the thus excluded fields as claimed in as much as Suzuki discloses that if there is no macro-block data, the macro-block is treated as a skip macro-block. To support this assertion, the Examiner points to column 15, lines 15-25. This assertion is unfounded for the following reason.

Although Suzuki may disclose that macro-blocks that have a zero vector and quantized DCT coefficients equal to zero are treated as skip macro-blocks, nowhere in Suzuki is there any disclosure of excluding one field of an interlaced image signal and performing predictive coding on the remaining fields as claimed. Accordingly, Suzuki does not anticipate independent claim 5 because Suzuki fails to disclose each and every claimed element.

Independent claims 6, 7, and 8 each define an image coding device that includes, among other elements, an input image controller that excludes either one field of each of the frames at a

predetermined rate when the input motion image signal is of the interlace method, and outputs the processed motion image signal, together with the process information showing the thus excluded fields. Accordingly, claims 6, 7, and 8 are not anticipated by Suzuki because Suzuki fails to disclose each and every claimed element. (See discussion above with respect to claim 5).

Independent claim 16 defines a method of image coding for coding a motion image signal and outputting the thus coded data as a bit stream. The method includes, *inter alia*, executing a predetermined processing to an input motion image signal for reducing the amount of coded data when coding the motion image signal by a coding method in which it is prescribed that the frame rate of a motion image signal is set to a constant level to be output at its decoding time, and outputting the processed motion image signal, together with the process information indicating the detail of said processing, and coding the motion image signal processed at said input image controller into a data in conformity with said coding method on the basis of said process information. Independent claim 16 is patentable over Suzuki for at least the reason that Suzuki fails to teach an input image controller that executes a predetermined processing to an input motion image signal for reducing the amount of coded data, whereby a coded method requires that a coded image signal has a constant frame rate upon decoding, as claimed.

Independent claim 17 defines an image coding device for coding a motion image signal and outputting the thus coded data as a bit stream. The device includes, *inter alia*, an input image controller which, in the case where the motion image signal is of the interlace mode, equalizes two field of each frame at a predetermined rate, and output the thus processed motion image signal, and an image coder that codes the motion image signal processed at said input image controller by a decoding method which is in conformity with a method that is designed for

outputting a motion image signal at a constant frame rate. Therefore, independent claim 17 is not anticipated by Suzuki because Suzuki fails to disclose an input image control that equalizes two fields of each frame at a predetermined rate for interlaced image signals as claimed.

In paragraph 5 of the Action, the Examiner rejects claims 18-26 under 35 U.S.C. §102(e) as being anticipated by Suzuki. Applicants respectfully traverse this rejection.

Claims 18-26 variously depend from independent claims 16 and 17. Therefore, claims 18-26 are patentable over Suzuki for at least those reasons presented above with respect to claims 16 and 17.

The application is in condition for allowance. Notice of same is earnestly solicited. Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Penny Caudle (Reg. No. 46,607) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

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Respectfully submitted,

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